

PRF
LAW

January 11, 2025

The Honorable John G. Koeltl
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

*In view of the representations
in this letter, the conference
scheduled for January 14, 2025
is canceled.*

Re: 1: 24-cv-00368-JGK

so ordered.

for 6/6/25 / U.S.D. 11/13/25

Dear Judge Koeltl,

I represent Plaintiff m Holloway Burgess in the above-referenced matter. Plaintiff has determined that most claims set forth in the complaint in this matter were dismissed in your Honor's September 11, 2024 order in case number 23-cv-04944, with the notable exception of Plaintiff's claims under Title VII, the New York State Human Rights Law, and the New York City Human Rights law for retaliation against Plaintiff for their speaking out about violations of the civil rights of their students.

While Plaintiff believes that claim was not asserted in the related matter, Plaintiff will voluntarily dismiss this case in the interest of having a single streamlined litigation following your Honor's September 11, 2024 ruling.

In light of Plaintiff's voluntary dismissal, Defendants' request for a pre-motion conference is moot. Counsel is still prepared to appear on the afternoon of January 14, 2025, to the extent the Court would like to hold a status conference in the related matter, though the parties have agreed on a discovery schedule that was so ordered by the Court on December 17, 2024 and there are no disputes requiring the Court's attention at this time. Plaintiff will file the requisite paperwork to withdraw this matter later this weekend, but wanted to alert the Court as soon as possible in light of the impending conference.

I apologize for the late notice to the Court. Counsel was retained in December shortly before the Holidays and has been diligent in getting up to the speed on the relevant facts, procedural history in these parallel cases, your Honor's September 11 ruling, as well as discussing the possibility of settlement with opposing counsel which has resulted in the agreement to schedule a settlement conference before Judge Netburn on February 12, 2025. I promptly notified the Court as soon as a final decision was made on how best to proceed with these related litigations.

Thank you for your time and attention to this matter.

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Sincerely,

/s/ David Berman
David Berman

cc: All counsel of record (via ECF)